

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

LIBERTY MUTUAL INSURANCE COMPANY,	)	CIVIL ACTION
	)	NO. 96-10804-DPW
	)	NO. 1:04-CV-10663-DPW
Plaintiff,	)	(J.C. Rhodes Site)
	)	
v.	)	
	)	
THE BLACK & DECKER CORPORATION,	)	
BLACK & DECKER, INC., BLACK & DECKER	)	
(U.S.) INC., EMHART CORPORATION, and	)	
EMHART INDUSTRIES, INC.,	)	
	)	
Defendants.	)	
	)	

**ASSENTED TO MOTION FOR LEAVE TO FILE UNDER SEAL CERTAIN  
BLACK & DECKER FILINGS CONCERNING ITS OPPOSITION TO  
LIBERTY MUTUAL'S SUPPLEMENTAL MOTION FOR SUMMARY  
JUDGMENT REGARDING THE J.C. RHODES SITE**

Black & Decker, with the assent of Liberty Mutual, moves, pursuant to Local Rule 7.2, for leave to file under seal Black & Decker's Memorandum In Opposition To The Liberty Mutual Supplemental Motion For Summary Judgment With Respect To The J.C. Rhodes Site and the Affidavit of James J. Nicklaus in support thereof. Said filings contain or refer to confidential documents produced by the parties pursuant to protective orders designed to ensure the confidentiality of said documents. Said filings also respond to Liberty Mutual filings which themselves were filed under seal. Pursuant to Local Rule 7.2, Black & Decker requests that this Court enter an Order authorizing the sealing of the memorandum and affidavit, filed in connection with its opposition to Liberty Mutual's summary judgment motion.

Black & Decker also requests that the Court maintain said documents under seal until this action is closed and, thereafter, that said documents be returned to counsel.

By their attorneys,

Dated: December 9, 2004

/s/ Jack R. Pirozzolo

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James J. Nicklaus, BBO# 564806  
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